

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: MOSDOS CHOFETZ CHAIM INC.,	Debtor.	: 21-cv-04688
		: 21-cv-05654
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CONGREGANTS OF MOSDOS CHOFETZ CHAIM INC.	Plaintiffs,	:
A/K/A KIRYAS RADIN,		
- against-		
MOSDOS CHOFETZ CHAIM INC., CHOFETZ CHAIM INC.,		
Congregation RADIN DEVELOPMENT INC. and ARYEH ZAKS,		
	Defendants-Appellees,	:
-and-		
TBG RADIN LLC, SHEM OLAM LLC., BEATRICE		
WALDMAN ZAKS, MENDEL ZAKS, GITTEL ZAKS		
LAYOSH, ELIYAHU LAYOSH, SAMUEL MARKOWITZ,		
DEBORAH ZAKS HILLMAN, YOM T. HENIG,		
STEVEN GREEN, DANIEL GREEN, ABRAHAM ZAKS		
and STERLING NATIONAL BANK,		
	Defendants.	:
RABBI MAYER ZAKS,		
	Appellant.	:

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**ORDER AFFIRMING BANKRUPTCY COURT'S
MAY 24, 2021 AND MAY 25, 2021 INJUNCTION ORDERS
IN ALL RESPECTS AND DISMISSING CONSOLIDATED APPEALS**

The United States Bankruptcy Court for the Southern District of New York (Hon. Robert D. Drain) having filed (i) on May 24, 2021 an order granting injunctive relief [bankruptcy adversary proceeding docket 21-07023, DE-22] and (ii) on May 25, 2021 a modified order granting injunctive relief [*Id.*, DE-24]; and Appellant Rabbi Mayer Zaks ("Appellant") having filed, on May 25, 2021 [*Id.*, DE-23] and June 8, 2021 [*Id.*, DE-45], respectively, separate notices of appeal and from each of the said orders of the Bankruptcy Court, and this Court having, on consent of the parties, consolidated those appeals, pursuant to Rule 42(a)(2) of the Federal Rules of Civil

Procedure, by way of Order dated July 15, 2021 [DE-36 on docket 21-cv-4688 and DE-13 on docket 21-cv-5654]; and the Court having received and considered the Appellant's Opening Brief filed on July 30, 2021 [docket 21-cv-5654, DE-15], the Appellees' Opposition Brief filed on September 13, 2021 [*Id.*, DE-23], and the Appellant's Reply Brief filed on October 4, 2021 [*Id.*, DE-26]; and the Court having conducted oral argument of the consolidated appeals on January 5, 2022 [the "Oral Argument"], and the Court having considered the arguments of counsel for the respective parties made during the Oral Argument, all as reflected on the transcript of the Oral Argument, and after due deliberation having been had with respect thereto, for the reasons set forth on the record at the Oral Argument, it is hereby

ORDERED that the Bankruptcy Court's May 24, 2021 order granting injunctive relief [bankruptcy adversary proceeding docket 21-07023, DE-22] is hereby **AFFIRMED** in all respects and the appeal therefrom dismissed; and it is further

ORDERED that the Bankruptcy Court's May 25, 2021 modified order granting injunctive relief [bankruptcy adversary proceeding docket 21-07023, DE-24] is hereby **AFFIRMED** in all respects and the appeal therefrom dismissed.

Dated: White Plains, New York
January 6, 2022



Hon. Philip M. Halpern
United States District Judge